

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

| | | |
|---------------------------------|---|---------------------------------|
| IN RE: CAPITAL ONE CONSUMER |) | MDL No. 1:19-md-02915 (AJT-JFA) |
| DATA SECURITY BREACH LITIGATION |) | |
| |) | |
| _____ |) | |

This Document Relates to the Consumer Cases

**AMAZON’S MOTION TO FILE UNDER SEAL AND
NOTICE OF INTENT TO REQUEST REDACTION OF TRANSCRIPT**

Defendants Amazon.com, Inc. and Amazon Web Services, Inc. (together, “Amazon”) by counsel moves the Court to enter an order to seal, pursuant to Local Civil Rule 5 of the Local Rules for the United States District Court for the Eastern District of Virginia. Amazon submits this Motion to File Under Seal (“Motion to Seal”) and Notice of Intent to Request Redaction of Transcript in response to the Court’s August 23, 2021 minute order regarding transcripts from the July 12, 2021 hearing. [Dkt. No. 1901]. Amazon hereby moves to seal:

- Lines 36:9–13 of the July 12, 2021 hearing transcript

These lines of the July 12, 2021 hearing transcript should be sealed because they discuss highly sensitive security threat intelligence gathering practices that have been designated as “Confidential” or “Confidential – Outside Counsel Only” pursuant to the terms of the Amended Stipulated Protective Order and poses a risk to the usefulness of those practices in gathering intelligence on potential security threats if those practices be revealed to the public. [Dkt. No. 368]. The reasons in support of this Motion to Seal are described in the accompanying memorandum.

WHEREFORE, Amazon respectfully requests that the Court: (1) grant this Motion to Seal and Notice of Intent to Request Redaction of Transcript; and (2) grant any such further relief that the Court deems proper.

Dated: September 22, 2021

Respectfully submitted,

/s/ Abigail J. Johansen

Robert R. Vieth, Esq. (VSB No. 24304)
Abigail J. Johansen, Esq. (VSB No. 93585)

HIRSCHLER FLEISCHER, PC

8270 Greensboro Drive, Suite 700

Tysons Corner, VA 22102

T: (703) 584-8366

T: (703) 584-2171

F: (703) 584-8901

Email: rvieth@hirschlerlaw.com

ajohansen@hirschlerlaw.com

*Local counsel for Defendants Amazon.com, Inc.
and Amazon Web Services, Inc.*

Tyler G. Newby (admitted *pro hac vice*)

Brian Buckley (admitted *pro hac vice*)

Laurence F. Pulgram (admitted *pro hac vice*)

Jedediah Wakefield (admitted *pro hac vice*)

Vincent Barredo (admitted *pro hac vice*)

Andrew M. Lewis (admitted *pro hac vice*)

Janie Y. Miller (admitted *pro hac vice*)

Meghan E. Fenzel (admitted *pro hac vice*)

Sarah V. Lightstone (admitted *pro hac vice*)

Rina Plotkin (admitted *pro hac vice*)

FENWICK & WEST LLP

555 California Street, 12th Floor

San Francisco, CA 94104

Telephone: (415) 875-2300

Facsimile: (415) 281-1350

Email: tnewby@fenwick.com

bbuckley@fenwick.com

lpulgram@fenwick.com

jwakefield@fenwick.com

vbarredo@fenwick.com

alewis@fenwick.com

jmiller@fenwick.com

mfenzel@fenwick.com

slightstone@fenwick.com

rplotkin@fenwick.com

*Counsel for Defendants Amazon.com, Inc. and
Amazon Web Services, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ Abigail J. Johansen

Robert R. Vieth, Esq. (VSB No. 24304)

Abigail J. Johansen, Esq. (VSB No. 93585)

HIRSCHLER FLEISCHER, PC

8270 Greensboro Drive, Suite 700

Tysons Corner, VA 22102

T: (703) 584-8366

T: (703) 584-2171

F: (703) 584-8901

Email: rvieth@hirschlerlaw.com

ajohansen@hirschlerlaw.com

*Local counsel for Defendants Amazon.com, Inc. and
Amazon Web Services, Inc*